

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

KENNETH EVERETT MOORE,
Plaintiff,

No. 2:21-cv-00483-YY

v.

ORDER

BRAD CAIN, COLETTE PETERS, NAMES
UNKNOWN, MARK NOOTH, MICHAEL
GLOVER, K. WILEY, and M. GRANT,

Defendants.

BAGGIO, District Judge:

On October 3, 2024, Magistrate Judge Youlee Yim You issued Findings and Recommendations (“F&R”) (ECF 197) recommending that this Court grant Defendants’ summary judgment motion (ECF 177) and deny Plaintiff’s motion for leave to amend his pleading (ECF 165) and his multiple summary judgment motions (ECF Nos. 160, 166, 168, 169, 170, 171). Plaintiff filed objections (ECF 205) and Defendants responded (ECF 207).

The magistrate judge makes only recommendations to the court, to which any party may file written objections. 28 U.S.C. §§ 636(b)(1)(B), (C). If a party objects, the court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendation to which objection is made.” *Id.* § 636(b)(1)(C). The court is not, however, required to review, de novo or under any other standard, the factual or legal conclusions of the

magistrate judge as to those portions of the F&R to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Ramos*, 65 F.4th 427, 433 (9th Cir. 2023). While the level of scrutiny that the court applies to its F&R review depends on whether a party has filed objections, the court is free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C); *see also Thomas*, 474 U.S. at 154.

After reviewing the F&R, Plaintiff's objections, Defendants' response, and the relevant record materials, the Court adopts the F&R (ECF 197) without modification. Defendants' summary judgment motion (ECF 177) is GRANTED and Plaintiff's motion for leave to amend his pleadings (ECF 165) and his multiple summary judgment motions (ECF Nos. 160, 166, 168, 169, 170, and 171) are DENIED.

IT IS SO ORDERED.

DATED this 17th day of January 2025.

Amy M. Baggio

AMY M. BAGGIO
United States District Judge